

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SPIRE STL PIPELINE LLC,)	
)	
Plaintiff,)	
)	Consolidated action
v.)	No. 4:18 CV 1327 SRC / DDN
)	
3.31 ACRES OF LAND, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER
REGARDING MISCELLANEOUS MOTIONS

IT IS HEREBY ORDERED that the motion of consolidated filer defendants Margaret G. Bell, *et al.*, for leave to object to title transfer **(Doc. 399) is sustained, in that defendants thereby state their objection on the record.**

IT IS FURTHER ORDERED that the motion of plaintiff to compel production of materials, including an unredacted copy of the option agreement between the landowner and Central Land Consulting (“CLC”), **(Doc. 439) is sustained.** This information is relevant as a factor in measuring the fair market value of the property taken and as a factor reflecting on the credibility of putative witness Nathan Laps who has been described as a controlling person of Central Land Consulting. (Doc. 548 at 18-25, 47-50).¹ For the reasons set forth during the hearing (Doc. 548 at 42- 47) plaintiff was granted leave to propound 10 interrogatories to CLC regarding information available from Ranae Eberhart.

IT IS FURTHER ORDERED that the motion of consolidated filer defendants Dennis H. Schaeffer, *et al.*, for a Protective Order **(Doc. 447) is denied, for the reasons set forth regarding the Court’s ruling on Doc. 439, next above.** (Doc. 548 at 25.)

¹ Doc. 548 is the transcript of the hearing held on December 29, 2020.

IT IS FURTHER ORDERED that the motion of consolidated filer defendants Alan Poggemoeller, *et al.*, to compel discovery regarding appraiser Corey Sell (**Doc. 467**) **is denied**, for the reasons set forth on the record of the hearing (Doc. 548 at 32-40).

IT IS FURTHER ORDERED that the motion of plaintiff to compel (**Doc. 487**) **is sustained** for the reasons set forth on the record of the hearing (Doc. 548 at 26-29). During the hearing on this matter, on December 29, 2021, the defendants were given 45 days to comply with the outstanding discovery requests.

IT IS FURTHER ORDERED that the joint motion to schedule a Commissioner's viewing (**Doc. 442**) **is sustained**.

IT IS FURTHER ORDERED that the motion of consolidated filer defendants Richard Hoelscher, *et al.*, to supplement the earlier motion (Doc. 444) for costs (**Doc. 478**) **is denied as moot** by the filing of the Memorandum and Order for Disbursement of Funds on February 2, 2021 (Doc. 552).

IT IS FURTHER ORDERED that the motion of consolidated filer defendants Keven Machens, *et al.*, to dismiss for lack of jurisdiction plaintiff's amended complaints (**Doc. 535**) **is denied**. **The Court has subject matter jurisdiction over this action under Section 717f(h) of the Natural Gas Act.**

IT IS FURTHER ORDERED that the first motion of consolidated filer defendants Aloysius A. Machens Trust Dated December 1, 1987, *et al.*, for an extension of time to respond to discovery (**Doc. 541**) **is sustained**. For the reasons set forth on the record of the December 29, 2020 hearing on this matter, defendants were given 45 days from that date to comply with the outstanding discovery requests. (Doc. 548 at 30-32.)

/s/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on March 5, 2021.